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November 18, 2021

The Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Consent Letter Motion  
for Brief Adjournment of Conference

RE: United States v. Elkin Ovidio Posada-Hincapie  
13 Cr. 958 (JMF)

Your Honor:

I am writing to request a brief continuance of the plea conference scheduled for this coming Monday, November 22, 2021, on consent of the government. I am requesting that the conference be scheduled for November 29, 30, December 2, or any date later than that which is convenient for the Court.

The reason for the request is that after we had worked out all of the details of the plea agreement I went up to Valhalla to visit my client and go through it to prepare for the plea hearing and he had some questions and reservations. I have been able to resolve some of those, but I still need an opportunity to review everything with him before we proceed with the plea. I cannot go back to Valhalla before November 22<sup>nd</sup> because I will be out of town from tomorrow through Sunday. It may be possible to do the plea in the afternoon of November 22<sup>nd</sup> if the client is brought to the courthouse in the morning and I can consult with him in the Marshal's holding area for a sufficient period of time.

I apologize for the abrupt interference with the current schedule and apologize for the late notice of the request, but I have had no opportunity to travel up to Valhalla for an in-person conference with my client to review everything until recently, due to the usually high number of CJA appointments I received last

week.

My client and I will consent to an exclusion of time until such time as the Court will set for the conference.

As I noted, the government has no objection to this request.

Thank you so much for Your Honor's consideration of this request.

Sincerely,

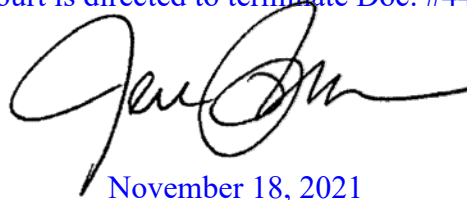
/s/ Thomas H. Nooter

Thomas H. Nooter

Attorney for Defendant

cc: AUSA Gillian Grossman and  
AUSA Jacob Gutwillig, by ECF

Application GRANTED. The change-of-plea is hereby ADJOURNED to November 30, 2021, at 2:30 p.m.. The Clerk of Court is directed to terminate Doc. #44. SO ORDERED.

A handwritten signature in black ink, appearing to read 'Jacob Gutwillig', is written over the date. The signature is fluid and cursive.

November 18, 2021